



MICHAEL A. CARDOZO
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET, Rm. 3-193
NEW YORK, NY 10007

ARTHUR G. LARKIN
Senior Counsel
Phone: (212) 788-1599
Fax: (212) 788-9776
alarkin@law.nyc.gov

MEMO ENDORSED

June 12, 2007

BY HAND DELIVERY

Hon. Leonard B. Sand
United States District Judge
United States District Court
500 Pearl Street, Room 1650
New York, New York 10007-1312

Re: Adrienne Wheeler v. City of New York, et al., 07-CV-3999 (LBS)

Your Honor:

I am the Assistant Corporation Counsel assigned to the defense of this matter on behalf of the City of New York. In her complaint, plaintiff alleges that defendants falsely arrested her and otherwise violated her constitutional rights. Defendant requests that its time to answer, move or otherwise respond to the complaint be extended from the current due date of June 13, 2007, to August 13, 2007. Plaintiff's counsel has consented to this request.

There are several reasons for seeking an enlargement of time. In accordance with this office's obligations under Rule 11 of the Federal Rules of Civil Procedure, we need this additional time to investigate the allegations of the complaint. It is our understanding that the records of the underlying criminal action, including police records, may have been sealed pursuant to New York Criminal Procedure Law section 160.50. Therefore, this office is in the process of forwarding to plaintiff for execution a consent and authorization for the release of sealed records so that defendant can access the information, properly assess the case, and respond to the complaint. Furthermore, because plaintiffs have alleged physical injury as a result of the events complained of, this office is in the process of forwarding to plaintiff for execution a consent and authorization for the release of medical records, limited, at this juncture, to medical records concerning treatment received as a result of the alleged incidents, so that defendant can properly assess the case and respond to the complaint.

MEMO ENDORSED

No previous request for an extension has been made by defendant. Thank you for your consideration of this request.

Respectfully submitted,



Arthur G. Larkin (AL 9059)
Assistant Corporation Counsel

AGL/m

cc: Jonathan C. Moore, Esq. (by hand delivery)

*Extension granted as requested.
So ordered
JP Sand
USP
6/13/07*

MEMO ENDORSED